

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application

Inventor(s): Michael Kovacs et al.  
Appl. No.: 10/772,613  
Confirm. No.: 5069  
Filed: February 5, 2004  
Title: SYSTEM AND METHOD FOR  
MANIPULATING ENTERPRISE  
APPLICATION DEPLOYMENT  
DESCRIPTORS

**PATENT APPLICATION**

Art Unit: 2174  
Examiner: Muhebbullah, Sajeda

**Customer No. 23910**

**TRANSMITTAL LETTER RE INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.
- As allowed under 37 CFR §1.98(d), copies of cited documents noted with an asterisk are not enclosed because they were previously submitted in U.S. Patent Application No. \_\_\_\_/\_\_\_\_\_, which is relied on for an earlier effective filing date under 35 USC §120, and which included an Information Disclosure Statement that complies with 37 CFR § 1.98(a) through (c).
- A copy of an International Search Report dated \_\_\_\_\_ for Application No. \_\_\_\_\_.  
 A copy of an International Preliminary Examination Report dated \_\_\_\_\_ for Application No. \_\_\_\_\_.  
\_\_\_\_\_.

— If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

***This statement should be considered because:***

✓ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);  
— OR —
- (2) It is being filed within 3 months of entry of a national stage;  
— OR —
- (3) It is being filed before the mailing date of the first Office Action on the merits,  
— OR —
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

— **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.  
— AND (*check at least one of the following*) —
  - (a) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(c).  
— OR —
  - (b) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the Issue Fee;  
— AND —
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);  
— AND —
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

— **37 C.F.R. §1.97(e)(1).** THE UNDERSIGNED ATTORNEY HEREBY STATES THAT each item of information contained in this *Information Disclosure Statement* was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this *Information Disclosure Statement*; or

— **37 C.F.R. §1.97(e)(2).** THE UNDERSIGNED ATTORNEY HEREBY STATES THAT no item of information contained in this *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this *Information Disclosure Statement* was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

FLIESLER MEYER LLP

Date: February 8, 2008

By: /Kuiran (Ted) Liu  
Kuiran (Ted) Liu  
Reg. No. 60039

Customer No. 23910  
FLIESLER MEYER LLP  
650 California Street, 14th Floor  
San Francisco, California 94108  
Telephone: (415) 362-3800